

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X	:	
	:	
THE UNITED STATES OF AMERICA,	:	
	:	
	:	
v.	:	18-CR-108-EAW
	:	
ROBERT C. MORGAN, et al.	:	
	:	
<i>Defendants.</i>	:	
	:	
	:	
-----X	:	

**NOTICE OF MOTION TO DISMISS THE SUPERSEDING INDICTMENT FOR
VIOLATION OF THE SPEEDY TRIAL ACT AND VIOLATION OF MR. MORGAN’S
CONSTITUTIONAL RIGHT TO A SPEEDY TRIAL**

PLEASE TAKE NOTICE that the undersigned will move this Court at a date and time to be determined by this Court, pursuant to Federal Rule of Criminal Procedure 12, Local Rule of Criminal Procedure 12, and Local Rule of Civil Procedure 7, for an order granting the motion of Defendant Robert C. Morgan (“Mr. Morgan”) and dismissing the superseding indictment with prejudice pursuant to the Speedy Trial Act and the constitutional right to a speedy trial.

In further support of this motion, Mr. Morgan relies upon the accompanying Memorandum of Law, the Affidavit of Robert Hyde, and the Declaration of Joel M. Cohen with Exhibits A–H. A proposed order is also submitted.

Pursuant to Local Rule 7(a)(1), Mr. Morgan states that he intends to file and serve reply papers as needed. Mr. Morgan reserves the right to file, with the Court’s permission, additional papers in connection with the evidentiary hearing on this Motion.

Dated: January 31, 2020
New York, New York

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Joel M. Cohen

Joel M. Cohen

Lee G. Dunst

Caitlin Walgamuth

200 Park Avenue

New York, NY 10166-0193

Telephone: 212.351.4000

Attorneys for Defendant Robert C. Morgan